

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PR&RD – Allegations of irregularities in execution of road work "Providing BT to the road from Khammam – Warangal R&B Road to Jallepalli via Keshavapuram, Tippareddygudem and Ajmeera Thanda of Thirumalaipalem Mandal of Khammam District - Sri A. Sambaiah, the then Deputy Executive Engineer, Panchayat Raj, PRSD, Tirumalayapalem now at PIU Sub-Division, Tirumalayapalem of Khammam District – Disciplinary proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.IA) DEPARTMENT

G.O.Rt.No. 530.

Dated: 30.03.2012

ORDER:

It is proposed to hold an enquiry against Sri A. Sambaiah, the then Deputy Executive Engineer, Panchayat Raj, PRSD, Tirumalayapalem now at PIU Sub-Division, Tirumalayapalem of Khammam District, in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-II and III).

3. Sri A. Sambaiah, the then Deputy Executive Engineer, Panchayat Raj, PRSD, Tirumalayapalem now at PIU Sub-Division, Tirumalayapalem of Khammam District is directed to submit within (10) days of the receipt of this order, a written statement of his defence.

4. Sri A. Sambaiah, the then Deputy Executive Engineer, Panchayat Raj, PRSD, Tirumalayapalem now at PIU Sub-Division, Tirumalayapalem of Khammam District is informed that an enquiry will be held only in respect of article of those charges as are not admitted. He should, therefore, specifically admit or deny article of charge.

5. Sri A. Sambaiah, the then Deputy Executive Engineer, Panchayat Raj, PRSD, Tirumalayapalem now at PIU Sub-Division, Tirumalayapalem of Khammam District is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

6. Sri A. Sambaiah, the then Deputy Executive Engineer, Panchayat Raj, PRSD, Tirumalayapalem now at PIU Sub-Division, Tirumalayapalem of Khammam District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri A. Sambaiah, the then Deputy Executive Engineer, Panchayat Raj, PRSD, Tirumalayapalem now at PIU Sub-Division, Tirumalayapalem of Khammam District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

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7. The receipt of this order shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

C.R. BISWAL
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri A. Sambaiah, the then Deputy Executive Engineer, Panchayat Raj, PRSD,
Tirumalayapalem now at PIU Sub-Division, Tirumalayapalem of Khammam
District through the Engineer-in-Chief, Panchayat Raj, Hyderabad.

The Engineer-in-Chief, Panchayat Raj, Hyderabad.

(in duplicate with a request to serve and return the dated acknowledgement copy)

Copy to:

The G.A.(V&E) Dept. (w.r.t.Vigilance Report No.75 (791/V&E/E2/2009), dt. 13.10.2011.

The PR&RD (Estt.I) Department.

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SECTION OFFICER

ANNEXURE-I

(Annexure to G.O.Rt.No. 530 , PR&RD (Vig.IA) Dept., dt. 30.03.2012)

STATEMENT OF ARTICLE OF CHARGE AGAINST SRI A. SAMBAIAH, THE THEN DEPUTY EXECUTIVE ENGINEER, PANCHAYAT RAJ, PRSD, TIRUMALAYAPALEM NOW AT PIU SUB-DIVISION, TIRUMALAYAPALEM OF KHAMMAM DISTRICT.

CHARGE:

That the said Sri A. Sambaiah, the then Deputy Executive Engineer, Panchayat Raj, at PRSD, Tirumalayapalem now at PIU Sub-Division, Tirumalayapalem of Khammam District had failed in checkmeasuring the B.T. work executed but submitted the bill to the Executive Engineer for pre audit and payment for the substandard BT work executed i.e., Providing BT to the road from Khammam – Warangal R&B Road to Jallepalli via Keshavapuram, Tipparedygudem and Ajmeera Thanda of Thirumalaipalem Mandal of Khammam District. Thus the officer failed to maintain integrity in checkmeasuring to the said work and deviated from his legitimate duties.

Basis:

As per the findings of the Vigilance Report No.75 (791/V&E/E2/2009) dt. 13.10.2011 of G.A. (V&E) Dept., samples are taken in Grade-III & Grade-II metal layers to verify the weight of the metal reveal a deficiency of 1.59% in KM 4 in Grade-III metal which is within the allowable of 20%. An amount of Rs.12,156/- is proposed as recovery towards the deficiency.

The V&E officials were also conducted Gradation tests on WBM Grade-III and Grade-II metal. No oversize metal is observed in Grade-III metal. Oversize metal is observed in WBM Grade-II layer in KM 1 (8.7%), KM 2 (9.71%), KM 3 (6.85%), KM 5 (5.77%) & KM 7 (4%). An amount of Rs.12,615/- is proposed as recovery towards the deficiency.

The V&E Officials were also collected samples of OGPC from road surface and tested for bitumen content reveal deficiency in bitumen content in KM 1 (9.3%), KM 2 (14.32%), KM 3 (30.43%), KM 4 (8.63%), KM 5 (31.8%), KM 6 (9.575%), KM 7 (24.61%) & KM 8 (11.15%). The V&E officials have also mentioned that as per Govt. Memo No.15320/Vig.I/2005-1, dt. 12.05.2006, if the deficiency of BT content is more than 15% of the specified binder content the work is to be totally rejected. For deficiencies upto 15%, the work can be allowed with recoveries. Accordingly, the bitumen layers of OGPC and seal coat are to be rejected in KMs 3, 5 & 7 and relaid at the cost of the contractor. The rejected value of the work is Rs.15,55,313/-. An amount of Rs.3,46,322/- is also proposed as recovery towards the shortfall in bitumen content in KMs 1,2,4,6 and 8.

The abstract of recoveries are as follows:-

i) Shortfall in density of Grade-III metal	..	Rs. 12,156/-
ii) Oversize metal in WBM Grade-II layer	..	Rs. 12,615/-
iii) Shortfall in bitumen content	..	Rs. 3,46,322/-

	Total:	Rs. 3,71,093/-

The rejected value of bituminous layers in KMs 3,5,&7 : Rs.15,55,313/-

The Officer had evaded from his responsibilities i.e., check measuring the work on the reason that he was holding additional charge in addition to the his regular duties by which he had not concentrated on the work which shall not be stand. If the officer feels he is over burdened, he could have represented to the higher authorities for removal of additional charge. Instead of doing so, he has left the work on the responsibility of Assistant Executive Engineer and quality of the work on the mercy of the contractor.

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By act of his lethargic attitude, he is not only contravene the Rule (3) of A.P.C.S.(Conduct) Rules, 1964 but also made himself responsible to the above huge loss to the Government exchequer. Had the V&E officials have not inspected the work and brought into the limelight the above deficiencies, huge monetary loss would have been borne by the Government exchequer. Thus he is directly responsible for the above loss.

Hence, the charge.

C.R. BISWAL
PRINCIPAL SECRETARY TO GOVERNMENT

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ANNEXURE-II

(Annexure to G.O.Rt.No. 530 , PR&RD (Vig.IA) Dept., dt.30.03.2012)

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE ARE PROPOSED TO BE SUSTAINED AGAINST SRI A. SAMBAIAH, THE THEN DEPUTY EXECUTIVE ENGINEER, PANCHAYAT RAJ, PRSD, TIRUMALAYAPALEM NOW AT PIU SUB-DIVISION, TIRUMALAYAPALEM OF KHAMMAM DISTRICT.

General Administration (V&E) Dept., Vigilance Report No.75 (791/V&E/E2/2009),
dt. 13.10.2011.

C.R. BISWAL
PRINCIPAL SECRETARY TO GOVERNEMENT

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ANNEXURE-III

(Annexure to G.O.Rt.No. 530 , PR&RD (Vig.IA) Dept., dt. .03.2012)

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGE ARE PROPOSED TO BE SUSTAINED AGAISNT SRI A. SAMBAIAH, THE THEN DEPUTY EXECUTIVE ENGINEER, PANCHAYAT RAJ, PRSD, TIRUMALAYAPALEM NOW AT PIU SUB-DIVISION, TIRUMALAYAPALEM OF KHAMMAM DISTRICT.

- NIL -

C.R. BISWAL
PRINCIPAL SECRETARY TO GOVERNEMENT

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